



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Peshtigo Service Center
101 N. Ogden Road P.O. Box 208
Peshtigo, Wisconsin 54157
Telephone 715-582-5000
FAX 715-582-5005

July 22, 1999

Mr. Herman Potratz
P.O. Box 1086
Marinette, WI 54143

Subject: Closure Approval - Pending: Rydahl's 76 Station, Site 2
432 Bridge Street, Marinette, WI

BRRTS ID # 03 - 38 - 098693
PECFA Claim # 54143 - 3818 - 11

Dear Mr. Potratz:

On June 16, 1999 the above named site was reviewed by the Northeast Region Close Out Committee for a determination as to whether or not the case qualified for close out under ch. NR 720 and ch. NR 726, Wis. Adm. Code. We believe that the site conditions and remedial actions completed thus far meet the conditions contained in s. NR 726.05(2)(b), Wis. Adm. Code. If a groundwater use restriction which meets the requirements of s. NR 727.05(8)(am), Wis. Adm. Code, is recorded with the County Register of Deeds and all of the monitoring wells used to investigate the site are properly abandoned, the Department will consider the case closed.

The Department will prepare a draft of a groundwater use restriction for you. Please provide me with a copy of the deed to the property. Once I receive it, I will prepare a draft deed restriction document that will be sent to you and to our program attorney for review. If any changes are needed, I will make them and send you the final version of the deed restriction. You will need to file the final version of the deed restriction with the register of deeds and provide me with proof of filing.

All of the monitoring wells used to investigate the site will need to be properly abandoned. Abandonment forms will need to be prepared and copies of the abandonment forms must be provided to the Department at my address.

Pursuant to the requirements of s. 292, Stats., and s. NR 726.05(2)(b)2. - 5., Wis. Adm. Code, changes to the contaminant plume due to any future surface or subsurface work on this or adjacent property(s) which may impact natural attenuation processes must be measured in order to determine if additional or alternative type(s) of remediation are warranted to prevent migration of the contaminant plume. If a change to the contaminant plume causes natural attenuation to be rendered ineffective as a final remedy then the Department should be notified of the change and the current property owner shall conduct an

investigation to determine a feasible alternative remediation plan for the site. Additional removal of residual contamination shall be properly treated or disposed of in accordance with applicable laws.

Please let me know if you have any questions about this letter, your requirements contained herein or other questions that you may have. I can be reached at (715) 582 - 5048.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Netzer". The signature is fluid and cursive, with the first name "Mike" and last name "Netzer" clearly distinguishable.

Mike Netzer, P.G., Hydrogeologist
Remediation & Redevelopment Program
Wisconsin Department of Natural Resources
Northeast Region - Peshtigo Service Center

CC: Mark Foht - Northern Environmental
Bruce Urban - NER
Dee Zoellner - DCOMM

593967

Document Number

GROUNDWATER USE RESTRICTION

RECORDED
J 7934 I 29

1999 OCT 15 PM 12:36

Declaration of Restrictions

In Re: The property addressed as 432 Bridge Street, Marinette County, Wisconsin and described as that part of Lots 20, 21 and 22 of I. Stephenson & Company's Addition to the Town (now city) of Marinette, Wisconsin, according to the plat thereof as recorded in Vol. 10 of Deeds page 235, Oconto County Records, said Lots lying in Government Lot 2 and the NE ¼ of the SW ¼ of Section 6, T.30N., R.24E., and being more particularly described as follows: BEGINNING at the Northeasterly corner of said Lot 22; thence West along the Northerly line of Lots 22 and 21 a distance of 107.74 feet; thence S51°28'30"W 24.00 feet; thence S02°26'45"E 15.00 feet; thence S02°53'25"E 52.85 feet; thence S36°15'25"E 20.04 feet; thence S69°37'25"E 18.00 feet; thence S88°35'00"E along the Northerly line of Ludington Street 92.08 feet; thence N01°21'00"E along the East line of Lot 22 a distance of 107.43 feet to the POINT OF BEGINNING; containing a total of 12,736 square feet of land.

Recording Area

Name and Return Address
Herman R and Patricia A. Pottratz
P.O. Box 1086
Marinette, WI 54143

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
) ss
COUNTY OF MARINETTE)

WHEREAS, Herman R. and Patricia A. Pottratz are the owners of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. Benzene and xylene-contaminated groundwater above NR 140 enforcement standards existed on this property at the following location(s) on the following date(s): benzene at 410 µg/L (micrograms per Liter) and xylene at 1700 µg/L in monitoring well MW - 700 on April 21, 1999 and benzene at 1.4 µg/L in monitoring well MW - 1000 on April 21, 1999. The locations of these monitoring wells are shown on the attached map.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in NR 809 is restricted by NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to

J 7934 I 31

a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

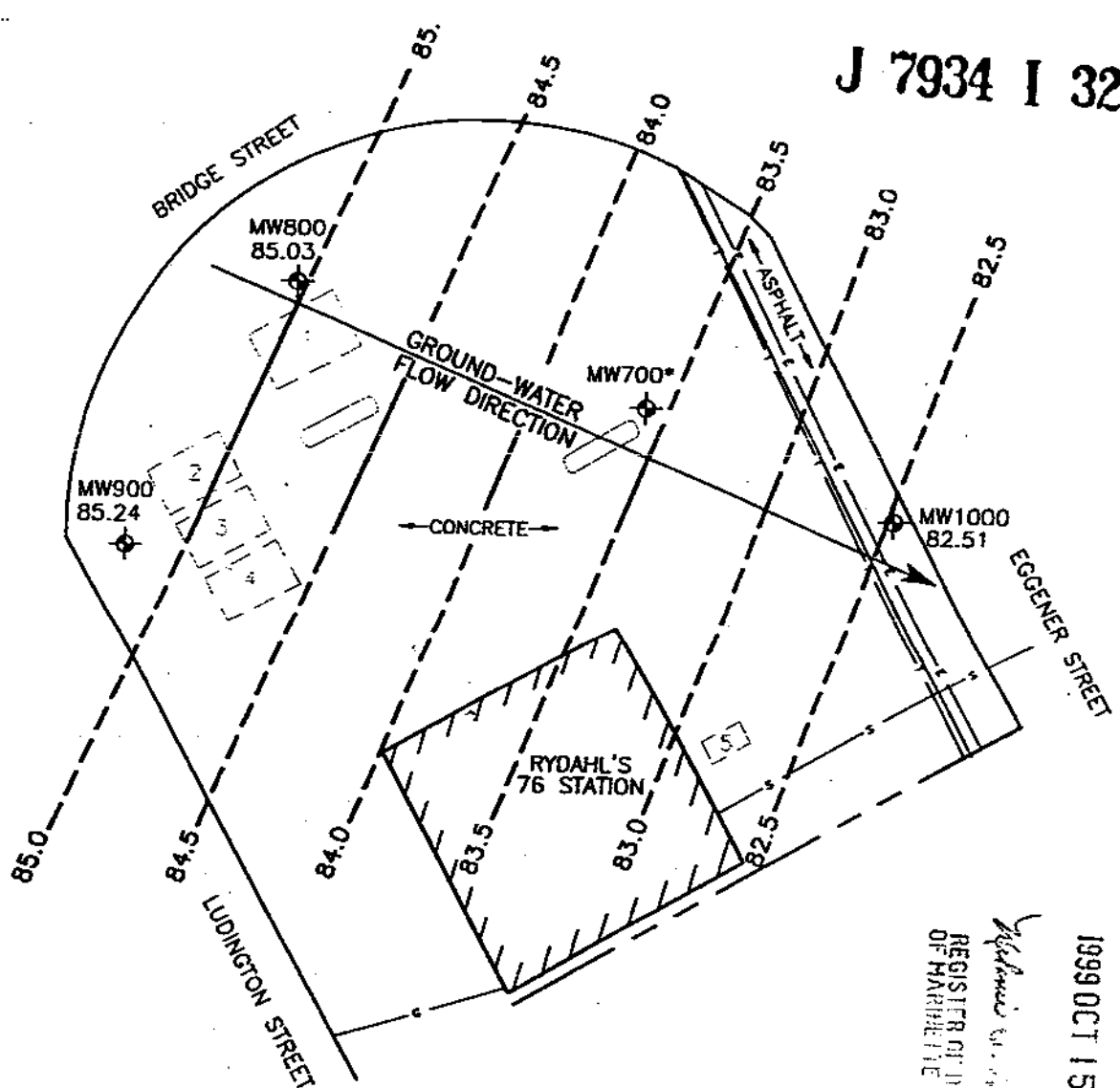
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 15th day of Oct, 1999.

Signature: Printed Name: Patricia PottmartzSignature: Printed Name: HERMAN R. POTTMARTZ

Subscribed and sworn to before me
this 15th day of Oct, 1999

Notary Public, State of WisconsinMy commission 1-1-2001

J 7934 I 32



LEGEND

◆ MW1000
82.51

MONITORING WELL LOCATION AND
GROUND WATER ELEVATION ON 4/21/99

* MW700 WATER LEVEL DATA WAS NOT USED BECAUSE
THE WELL CASING WAS DAMAGED.

GROUND WATER CONTOUR LINE: DASHED WHERE INFERRED
CONTOUR LINE INTERVAL = 0.5 FEET

FORMER UST LOCATION

- UST1: 10000 GALLON LEADED GASOLINE
- UST2: 5000 GALLON UNLEADED GASOLINE
- UST3: 5000 GALLON UNLEADED GASOLINE
- UST4: 5000 GALLON DIESEL
- UST5: 550 GALLON WASTE OIL

FORMER DISPENSER ISLAND

FENCE/PROPERTY LINE

NATURAL GAS LINE

SANITARY SEWER

BURIED TELEPHONE LINE

BURIED ELECTRIC LINE

Herman Pottratz
REGISTERED PROFESSIONAL
OF MARINETTE COUNTY, WIS.

1999 OCT 15 PM 12:36

593967

SCALE IN FEET



DRAWN BY: SKM PROJECT: RYD-0447 DATE: 5/21/99

REV. DATE THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE
PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL
NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH
IT IS EXPRESSLY FURNISHED.

Northern Environmental
Hydrologists • Engineers • Geologists

FIGURE 1
MONITORING WELL LOCATIONS AND
GROUND WATER ELEVATION CONTOUR MAP (4/21/99)
RYDALH'S 76 STATION
MARINETTE, WISCONSIN

FOR: HERMAN POTTRATZ

410116

J 431 I 40

SS #00266
Dunlap Square
Marinette,

This Indenture Witnesseth: That the grantor, AMOCO OIL COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Maryland, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration, (\$10.00), to it in hand paid, conveys and warrants to Herman R. Pottratz and Patricia A. Pottratz, husband and wife, as joint tenants,

Marinette and State of Wisconsin, of the County of Marinette, situated in the County of Marinette, the following described real estate, situated in the County of Marinette and State of Wisconsin

to-wit: That part of Lots 20, 21 and 22 of I. Stephenson & Company's addition to the Town (now City) of Marinette, Wisconsin, according to the plat thereof as recorded in Vol. 10 of Deeds page 235, Oconto County Records, said Lots lying in Government Lot 2 and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, T.30N., R.24E., and being more particularly described as follows: BEGINNING at the Northeasterly corner of said Lot 22; thence West along the Northerly line of Lots 22 and 21 a distance of 107.74 feet; thence S51°28'30"W 24.00 feet; thence S02°26'45"E 15.00 feet; thence S02°53'25"E 52.85 feet; thence S36°15'25"E 20.04 feet; thence S69°37'25"E 18.00 feet; thence S88°35'00"E along the Northerly line of Ludington Street 92.08 feet; thence N01°21'00"E along the East line of Lot 22 a distance of 107.43 feet to the POINT OF BEGINNING, containing a total of 12,736 square feet of land.

This deed is executed and delivered in affirmance and ratification of that certain deed recorded in J-310 I-23, document #406679. The premises, as above described, conform to to the 5/30/79 survey of Jerome R. Pillath. The premises as above described are the premises intended to be sold by the grantor to the grantees.

No Wisconsin Real Estate Transfer Return required pursuant to Sec.77.25 (3) Wis. Sts.

Subject to taxes and special assessments, if any, against the said premises; also subject to zoning laws and municipal regulations, if any; building line restrictions and building restrictions of record, if any; and to any party wall agreements of record.

1979 AUG 30 PM 3:02
REGISTER OF DEEDS
OF MARINETTE COUNTY WIS
J. K. KAHOE

RECORDED

In Witness Whereof, the said grantor has caused this instrument to be signed by its Regional Real Estate Manager, and its corporate seal to be hereto affixed and attested by its Assistant Secretary, all this 13th day of August, 1979.

Signed, Sealed and Delivered in the presence of:

AMOCO OIL COMPANY

By THOMAS J. BUENLER
REGIONAL REAL ESTATE MANAGER
Attest:

VANCE G. MEYER, Assistant Secretary.

This Instrument Was Prepared By:

** T. K. Kahoe, Attorney
200 East Randolph Dr.
Mail Code 6120
Chicago, Illinois

ng acknowledgment should be used for Illinois, Indiana, Kansas and Wisconsin.

ILLINOIS, }
OF COOK, } ss.

FAYE BORTH

, a Notary Public in and for said

State, do hereby certify that THOMAS J. BUEHLER
and VANCE G. MEYER, personally
to be the same persons whose names are subscribed to the foregoing instrument as Regional Real
Estate Agent and Assistant Secretary of AMOCO OIL COMPANY, a
corporation, appeared before me this day in person and acknowledged that they signed, sealed with the
seal of said corporation, and delivered the said instrument as their own free and voluntary act, and as the
sole and lawful act of said corporation, for the uses and purposes therein set forth, and that they were duly
authorized to execute the said instrument by the Board of Directors of said corporation.

under my hand and seal, this 13 day of August, 1979

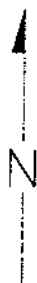
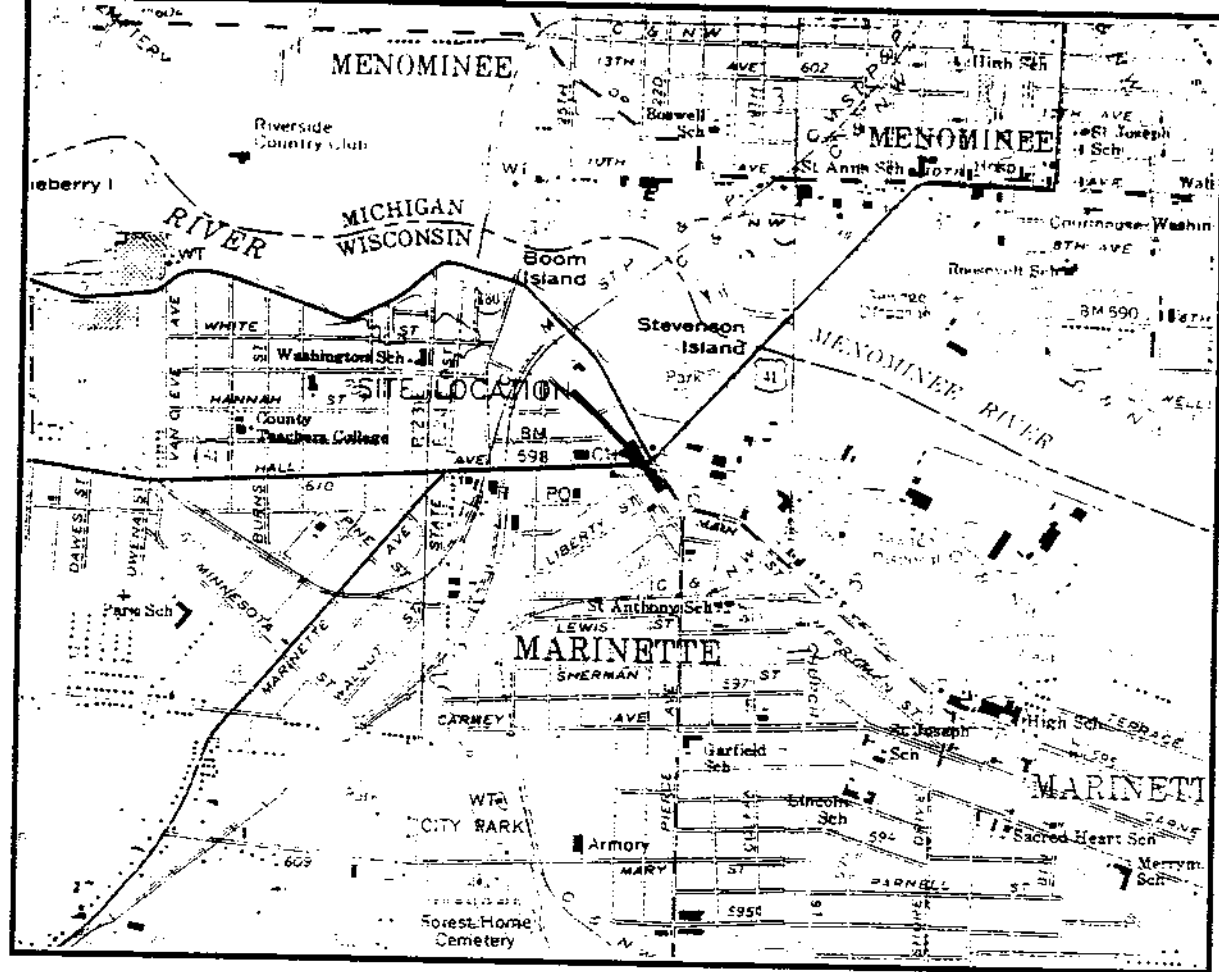
My commission expires March 23, 1983

FAYE BORTH

Notary Public.

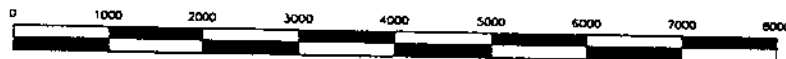
Faye Borth

on Note Bk



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



QUADRANGLE LOCATION

BASE MAP SOURCE: USGS MARINETTE, WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1976)

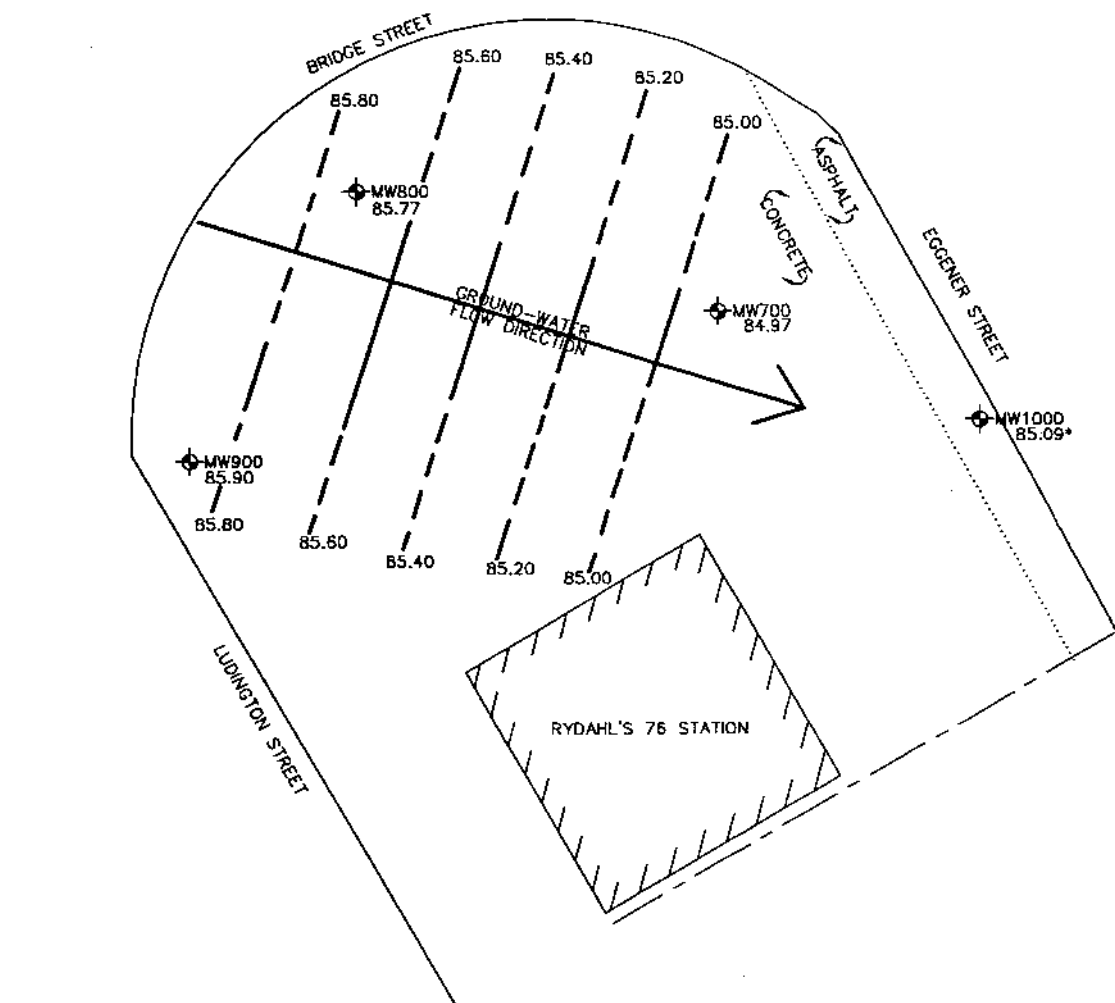
DRAWN BY: CAS PROJECT: RYD330447 DATE: 11/8/96

REV. DATE THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

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FIGURE 1
SITE LOCATION AND LOCAL TOPOGRAPHY
RYDAHL'S 76 STATION
MARINETTE, WISCONSIN

FOR: HERMAN POTTRATZ



LEGEND



MW700
85.90

MONITORING WELL LOCATION WITH WELL NUMBER
WITH GROUNDWATER ELEVATION MEASURED IN
FEET ABOVE MEAN SEA LEVEL (MSL)



FENCE/PROPERTY LINE

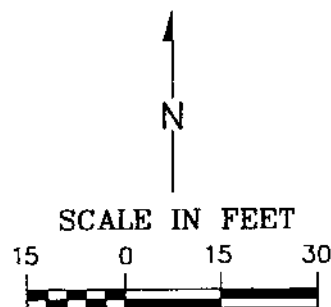


SURFACE BOUNDARY LINE



GROUND-WATER ELEVATION CONTOUR LINE
CONTOUR INTERVAL = 0.20 FEET

* MW1000 WATER LEVEL DATA WAS NOT USED BECAUSE
WELL WAS INSTALLED ON THE SAME DAY AS THE
WATER LEVELS WERE COLLECTED. THEREFORE IT IS
NOT REFLECTIVE OF STATIC WATER CONDITIONS.



DRAWN BY: LFC	PROJECT: RYD330447	DATE: 5/30/97
REV. DATE	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.	

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FIGURE 5
GROUND-WATER ELEVATION MAP (5/8/97)
RYDAHL'S 76 STATION
MARINETTE, WISCONSIN

FOR: HERMAN POTTRATZ

Table 3 Geoprobe Ground-Water Analytical Results, Rydahl's 76 Station

Well ID	Date Sampled	Relevant and Significant Analytical Results (µg/l)														
		Lead	Benzene	n-Butylbenzene	sec-Butylbenzene	tert-Butylbenzene	Ethylbenzene	Isopropylbenzene	p-Isopropyltoluene	MTBE	Naphthalene	n-Propylbenzene	Toluene	2,4-Dimethylbenzene	3,5-Dimethylbenzene	Xylenes
WDNR PAL (µg/l)		1.5	0.5	NE	NE	NE	140	NE	NE	12	8	NE	66.5	NE	NE	124
WDNR ES (µg/l)		15	5	NE	NE	NE	700	NE	NE	60	40	NE	343	NE	NE	620
W100	12/03/96	3	< 0.26	1.9	0.85	0.62	0.73	1.1	< 0.46	< 0.22	1.4	0.8	86	2.5	1.9	2.9
W200	12/03/96	---	5.8	---	---	---	3	---	---	< 0.5	---	---	28	3.4	2.6	18
W300	12/03/96	---	5.7	---	---	---	2.5	---	---	< 0.5	---	---	41	1.9	1.7	14
W400	12/03/96	---	5.5	---	---	---	1	---	---	78	---	---	7.5	1.9	1.1	6.8
W500	12/03/96	< 3	32	7.3	0.93	< 0.4	8	0.94	< 0.46	120	1.8	1.1	37	3.2	2.2	26.8
W600	12/03/96	24	900	110	< 24.5	< 20	800	48	39	17	75	95	62	1100	440	4080
Field Blank	12/03/96	---	< 0.7	---	---	---	< 0.7	---	---	< 0.5	---	---	< 1	< 1	< 0.9	< 2

Note:

PAL = Preventive Action Limit
 ES = Enforcement Standard
 MTBE = Methyl-Tertiary-Butyl-Ether
 µg/l = micrograms per liter
 NE = Not established by Wisconsin Department of Natural Resources (WDNR)
 --- = Not analyzed

32 = WDNR Preventive Action Limit Exceeded
 32 = WDNR Enforcement Standard Exceeded

mws

Table 4. ~~Ground Water~~ Analytical Results, Rydahl's 76 Station, Marinette, WI

Well ID	Date Sampled	Relevant and Significant Analytical Results (µg/kg)										
		Lead	Benzene	n-Butylbenzene	Ethylbenzene	p-Isopropyltoluene	MTBE	Naphthalene	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	Xylenes
WDNR PAL (µg/l)		1.5	0.5	NE	140	NE	12	8	68.6	NE	NE	124
WDNR ES (µg/l)		15	5	NE	700	NE	60	40	343	NE	NE	620
MW700	03/21/97	< 1	380	15	< 6.8	11	13	28 "J"	< 15	41	13	110
MW700	05/08/97	---	520	---	14	---	26	16	< 15	140	69	1090
MW800	03/21/97	< 1	< 0.21	< 0.38	< 0.68	0.56	2.2	< 1	< 1.5	< 1	< 0.86	< 1.8
MW800	05/08/97	---	< 0.21	---	< 0.68	---	0.92	---	< 1.5	< 1	< 0.86	---
MW900	03/21/97	< 1	< 0.21	< 0.38	< 0.68	< 0.37	< 0.21	< 1	< 1.5	< 1	< 0.86	< 1.8
MW900	05/08/97	---	< 0.21	---	< 0.68	---	< 0.21	---	< 1.5	< 1	< 0.86	< 1.8
MW1000	05/08/97	---	28	< 3.8	< 6.8	< 3.7	< 2.1	< 10	< 15	23	< 8.6	138

ES = Enforcement Standards

MTBE = Methyl-Tertiary-Butyl-Ether

PAL = Preventive Action Limits

µg/l = micrograms per liter

NE = Not established by Wisconsin Department of Natural Resources (WDNR)

= Not analyzed

= WDNR Preventive Action Limit Exceeded

= WDNR Enforcement Standard Exceeded

- ☐ Solid Waste ☐ Haz. Waste
☐ Emergency Response ☒ Underground Tanks
☐ Wastewater ☐ Water Resources
☐ Other

Facility/Project Name Rydahl's 76 Station			License/Permit/Monitoring Number		Boring Number B800
Boring Drilled By (Firm name and name of crew chief) Environmental Drilling Services. Crew Chief was Craig Plant.			Date Drilling Started 03/20/97	Date Drilling Completed 03/20/97	Drilling Method HSA
DNR Facility Well No.	WI Unique Well No.	Common Well Name MW800	Final Static Water Level Feet MSL	Surface Elevation Feet MSL	Borehole Diameter 8.0 Inches
Boring Location State Plane SE 1/4 of SW 1/4 of Section 6 T 30 N, R 24E			Lat 45° 6' 0" Long 87° 37' 48"	Local Grid Location (If applicable) <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W	
County Marinette			DNR County Code 38	Civil Town/City/ or Village Marinette	

Sample		Blow Counts	Depth In Feet	Soil/Rock Description And Geologic Origin For Each Major Unit	U S C S	Graphic Log	Well Diagram	PID/FID	Soil Properties					P 200	RQD/ Comments
Number	Length (in) Recovered								Standard Penetration	Moisture Content	Liquid Limit	Plastic Limit			
S801	20	1 1 0 1	1 2 3 4	SAND FILL, fine grained, light yellowish brown (10YR 6/4) from (2.5 to 5) feet and (10YR 5/4) from (5 to 7) feet, no odor, moist.				0.6							
S802	18	1 0 0 1	5 6 7					1							
S803	12	1 0 0 1	8 9	CONCRETE from (7.0 to 7.5) feet.	SM			1							
S804	20	1 1 1 1	10 11 12	SAND, fine grained changing to medium to coarse grained at 10 feet, trace of wood chips, black (10YR 2/1) from (7.5 to 9.5) feet and dark olive brown (2.5 Y 3/3) from (10 to 12) feet, no odor, moist becoming saturated at 10 feet. (SW, SM, Middle Inlet Member of Kewaunee Formation).	SW			1							

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature

Jenny Boettcher

Firm

Northern Environmental Tech., Inc.
954 Circle Drive, Green Bay, WI 54304
Tel: 414-592-8400, Fax: 414-592-8444


This form is authorized by Chapters 144, 147 and 162, Wis. Stats. Completion of this report is mandatory. Penalties: Forfeit not less than \$10 nor more than \$5,000 for each violation. Fined not less than \$10 or more than \$100 or imprisoned not less than 30 days, or both for each violation. Each day of continued violation is a separate offense, pursuant to ss 144.99 and 162.06, Wis. Stats.

- ☐ Solid Waste ☐ Haz. Waste
☐ Emergency Response ☒ Underground Tanks
☐ Wastewater ☐ Water Resources
☐ Other

Facility/Project Name Rydahl's 76 Station			License/Permit/Monitoring Number		Boring Number B900	
Boring Drilled By (Firm name and name of crew chief) Environmental Drilling Services. Crew Chief was Craig Plant.			Date Drilling Started 03/20/97		Date Drilling Completed 03/20/97	
					Drilling Method HSA	
DNR Facility Well No.	WI Unique Well No.	Common Well Name MW900		Final Static Water Level Feet MSL	Surface Elevation Feet MSL	Borehole Diameter 8.0 Inches
Boring Location State Plane SE 1/4 of SW 1/4 of Section 6 T 30 N, R 24E			Lat 45° 6' 0" Long 87° 37' 48"		Local Grid Location (If applicable) <input type="checkbox"/> N <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> W	
County Marinette			DNR County Code 38		Civil Town/City/ or Village Marinette	

Sample		Blow Counts	Depth In Feet	Soil/Rock Description And Geologic Origin For Each Major Unit	U S C S	Graphic Log	Well Diagram	PID/FID	Soil Properties					P 200	RQD/ Comments
Number	Length (in) Recovered								Standard Penetration	Moisture Content	Liquid Limit	Plastic Limit			
S901	18	1 1 0 1	1 2 3 4	APSHALT SAND, medium to coarse grained, dark yellowish brown (10YR 4/6) from (2.5 to 10) feet, (10YR 3/4) from (10 to 15) feet, (10YR 3/6) from (15 to 17) feet, no odor, moist becoming saturated at 11.5 feet. (SW, Middle Inlet Member of Kewaunee Formation).	SW			1.4							
S902	12	1 1 1 1	5 6 7 8					1.4							
S903	16	1 1 1 2	9 10 11 12					1							
S904	22	1 1 0 1						1							

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature 	Firm Northern Environmental Tech., Inc. 954 Circle Drive, Green Bay, WI 54304 Tel: 414-592-8400, Fax: 414-592-8444
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This form is authorized by Chapters 144, 147 and 162, Wis. Stats. Completion of this report is mandatory. Penalties: Forfeit not less than \$10 nor more than \$5,000 for each violation. Fined not less than \$10 or more than \$100 or imprisoned not less than 30 days, or both for each violation. Each day of continued violation is a separate offense, pursuant to ss 144.99 and 162.06, Wis. Stats.